

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Adam M. Gilbert  
and Gary P. Stack**

Confirmation No.: **3576**

Serial No.: **10/663,533**

Group Art Unit: **1625**

Filing Date: **September 16, 2003**

Examiner: **Huang, Evelyn Mei**

For: **8-AZA-BICYCLO[3.2.1]OCTAN-3-OL DERIVATIVES OF 2,3-DIHYDRO-  
1,4-BENZODIOXAN AS 5-HT<sub>1A</sub> ANTAGONISTS**

Mail Stop Appeal Brief Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**APPELLANT'S REPLY TO NOTIFICATION OF NON-COMPLIANT  
APPEAL BRIEF PURSUANT TO 37 C.F.R. § 41.37**

This amended "Status of Claims" section is being filed in response to the September 13, 2007, Order of the Board of Patent Appeals and Interferences requiring Appellant to submit a missing statement of the status of all claims and identification of the appealed claims, as set forth in 37 C.F.R. § 41.37(c)(1)(iii). The original Appeal Brief was timely filed April 11, 2005 in support of Appellant's appeal from the rejections of claims 26 and 33 to 52 dated September 21, 2004. A Reply Brief to the Examiner's Answer was timely filed on September 12, 2005. An amended Appeal Brief was timely filed on April 7, 2006. Aside from present revised Status of Claims section, no new material has been added.

**STATUS OF CLAIMS**

Pending	:	Claims 26 and 33-52
Rejected	:	Claims 26 and 33-52
Objected to	:	None
Allowed	:	None
Withdrawn	:	None
Cancelled	:	Claims 1-25 and 27-32
Appealed	:	Claims 26 and 33-52.

Appellant is grateful for the courtesy extended by Reginald Tyson in speaking to Appellant's representative regarding the acceptable remedy for the Office's Notice of Non-Compliant Appeal Brief.

The Office is invited to contact the undersigned if any additional matters should arise.

Respectfully submitted,

Date: *October 15, 2007*

*/Wendy A. Choi/*

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